

Benjamin R. Nagin  
Akash R. Desai  
SIDLEY AUSTIN LLP  
787 Seventh Avenue  
New York, New York 10019  
Telephone: (212) 839-5300  
Facsimile: (212) 839-5599

Attorneys for Defendants Stewart Title Insurance Company,  
Monroe Title Insurance Corporation and  
Stewart Information Services Corporation

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GERRY GALIANO,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, et al.,

Defendants.

SCANNED

ECF CASE

Case No. 08-cv-1317 (KMK)

NOTICE OF DEFENDANTS  
STEWART TITLE INSURANCE  
COMPANY, MONROE TITLE  
INSURANCE CORPORATION  
AND STEWART  
INFORMATION SERVICES  
CORPORATION'S MOTION TO  
ADMIT COUNSEL  
PRO HAC VICE

FILED  
U.S. DISTRICT COURT  
2008 MAR 19 PM 5:05  
S.D.N.Y.

PLEASE TAKE NOTICE that upon the annexed affidavits of Benjamin R. Nagin,

sworn to on March 18, 2008, Michael P. Doss, sworn to on March 17, 2008, and Gerard D.

Kelly, sworn to on March 17, 2008, the undersigned will move this Court before the Honorable

Kenneth M. Karas at the United States Courthouse for the Southern District of New York, at a

date and time to be determined by the Court, pursuant to Rule 1.3(c) of the Local Civil Rules of

the United States District Court for the Southern District of New York for an order allowing the

pro hac vice admission of:

MAR 19 2008

90850-645238

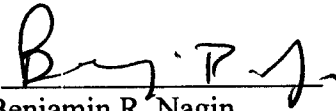
Michael P. Doss  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

Gerard D. Kelly  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

Mr. Doss and Mr. Kelly are members in good standing of the Bar of the State of Illinois. There are no pending disciplinary proceedings against either Mr. Doss or Mr. Kelly in any State or Federal court.

Dated: New York, New York  
March 18, 2008

SIDLEY AUSTIN LLP

By:   
Benjamin R. Nagin  
Akash R. Desai  
787 Seventh Avenue  
New York, New York 10019  
Telephone: (212) 839-5300  
Facsimile: (212) 839-5599

*Attorneys for Defendants Stewart Title  
Insurance Company, Monroe Title  
Insurance Corporation and Stewart  
Information Services Corporation*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GERRY GALIANO,

Plaintiff,

**VS.**

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, et al.,

**Defendants.**

**ECF CASE**

Case No. 08-cv-1317 (KMK)

**AFFIDAVIT OF  
BENJAMIN R. NAGIN**

[illegible]

**BENJAMIN R. NAGIN**, being duly sworn, hereby deposes and says as follows:

1. I am an attorney admitted to practice in the State of New York and in this Court and am a member of the law firm of Sidley Austin LLP, one of the counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation (“Defendants”) in this action. I respectfully submit this affidavit in support of Defendants’ motion, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court, for an order granting Michael P. Doss and Gerard D. Kelly admission pro hac vice to the bar of this Court on behalf of Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation.

2. I am a member in good standing of the bar of this Court.

3. Michael P. Doss is a member of the law firm of Sidley Austin LLP, one of the counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation

and Stewart Information Services Corporation in this action, based in the firm's Chicago, Illinois office. Mr. Doss is a member in good standing of the Bar of the State of Illinois. Mr. Doss's affidavit, sworn to on March 17, 2008, with a certificate of good standing for the Bar of Illinois is attached hereto as Exhibit A.

4. Gerard D. Kelly is a member of the law firm of Sidley Austin LLP, one of the counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation in this action, based in the firm's Chicago, Illinois office. Mr. Kelly is a member in good standing of the Bar of the State of Illinois. Mr. Kelly's affidavit, sworn to on March 17, 2008, with a certificate of good standing for the Bar of Illinois is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that this Court grant Defendants' motion for an order permitting Michael P. Doss and Gerard D. Kelly to appear in this action pro hac vice on behalf of Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation.

  
Benjamin R. Nagin

Subscribed and sworn to before me  
this 18<sup>th</sup> day of March, 2008.

  
Notary Public

MIRIAM MUNOZ  
Notary Public, State Of New York  
No. 01MU4656613 *KING*  
Qualified In *Queens* County  
Commission Expires 02/28/2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GERRY GALIANO,

Plaintiff,

**VS.**

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, et al.,

**Defendants.**

**ECF CASE**

Case No. 08-cv-1317 (KMK)

**AFFIDAVIT OF  
MICHAEL P. DOSS**

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss:

**MICHAEL P. DOSS, being duly sworn, hereby deposes and says as follows:**

1. I am an attorney admitted to practice in the State of Illinois and a member of the law firm of Sidley Austin LLP, one of the counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation.

2. I make this affidavit in support of Defendants' motion for an order permitting me to appear in this action as counsel on behalf of Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation pro hac vice.

3. As shown in the Certificate of Good Standing attached hereto as Exhibit 1, I am a member in good standing of the bar of the State of Illinois.

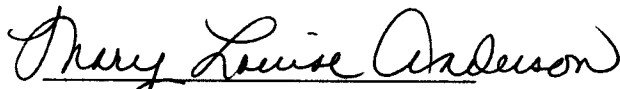
4. There are no pending disciplinary proceedings against me in any State or Federal court.

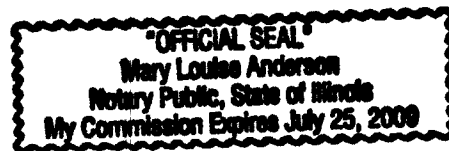
5. Wherefore your affiant respectfully requests that he be permitted to appear as counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation and advocate pro hac vice in the above captioned matter.



Michael P. Doss

Subscribed and sworn to before me  
this 17 day of March, 2008.

  
Notary Public



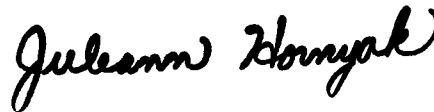
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Michael Patrick Doss

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on May 6, 1997 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Friday, March 14, 2008.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GERRY GALIANO,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, et al.,

Defendants.  
----- X

ECF CASE

Case No. 08-cv-1317 (KMK)

**AFFIDAVIT OF**  
**GERARD D. KELLY**

STATE OF ILLINOIS        )  
                                  ) ss:  
COUNTY OF COOK        )

GERARD D. KELLY, being duly sworn, hereby deposes and says as follows:

1. I am an attorney admitted to practice in the State of Illinois and a member of the law firm of Sidley Austin LLP, one of the counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation.

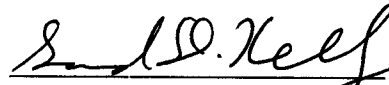
2. I make this affidavit in support of Defendants' motion for an order permitting me to appear in this action as counsel on behalf of Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation pro hac vice.

3. As shown in the Certificate of Good Standing attached hereto as Exhibit 1, I am a member in good standing of the bar of the State of Illinois.

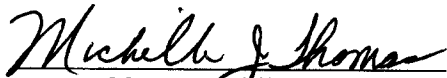
4. There are no pending disciplinary proceedings against me in any State or Federal court.



5. Wherefore your affiant respectfully requests that he be permitted to appear as counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation and advocate pro hac vice in the above captioned matter.

  
Gerard D. Kelly

Subscribed and sworn to before me  
this 17<sup>th</sup> day of March, 2008.

  
Notary Public



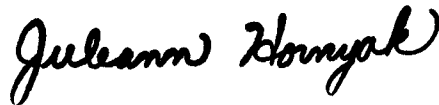
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Gerard David Kelly

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 6, 1986 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Friday, March 14, 2008.



Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GERRY GALIANO,

Plaintiff,

**VS.**

FIDELITY NATIONAL TITLE INSURANCE  
COMPANY, et al.,

**Defendants.**

**ECF CASE**

Case No. 08-cv-1317 (KMK)

**[PROPOSED] ORDER OF ADMISSION TO PRACTICE *PRO HAC VICE***

This matter having been brought before the Court on the motion of Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation, for admission pro hac vice of Michael P. Doss and Gerard D. Kelly to appear on their behalf in this action, and the Court having considered the affidavits submitted in support of said motion, it is hereby

**ORDERED**, that Michael P. Doss and Gerard D. Kelly of the law firm Sidley Austin LLP are admitted pro hac vice to appear as counsel for Defendants Stewart Title Insurance Company, Monroe Title Insurance Corporation and Stewart Information Services Corporation in this matter, pursuant to Rule 1.3(c) of the Local Civil Rules of this Court.

Dated: New York, New York  
March \_\_, 2008

UNITED STATES DISTRICT JUDGE

### CERTIFICATE OF SERVICE

I, Akash R. Desai, hereby certify that I caused a true and correct copy of the foregoing Notice of Motion to Admit Counsel *Pro Hac Vice* and the Affidavit of Benjamin R. Nagin with exhibits annexed thereto to be served by first class mail on the below list, on the 19th day of March 2008.

Dated the 19th day of March 2008.



Akash R. Desai

Richard Wolfe Cohen  
Peter D. St. Phillip  
Scott Vincent Papp  
Lowey Dannenberg Bemporad Selinger & Cohen, P.C.  
White Plains Plaza  
1 North Broadway  
5th Floor  
White Plains, New York 10601  
Telephone: (914) 997-0500  
Facsimile: (914) 997-0035  
**Attorneys for Plaintiff**

Barry R. Ostrager  
Kevin J. Arquit  
Patrick Timothy Shilling  
Simpson Thacher & Bartlett LLP  
425 Lexington Avenue  
New York, New York 10017  
Telephone: (212) 455-2000  
Facsimile: (212) 455-2502  
**Attorneys for Defendants Fidelity National Title Insurance Company,  
Chicago Title Insurance Company, Ticor Title Insurance Company  
and Fidelity National Finance, Inc.**

James Ian Serota  
Kenneth Alan Lapatine  
Stephen L. Saxl  
Greenberg Traurig LLP  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 801-2277  
Facsimile: (212) 224-6155  
**Attorneys for Defendants First American Title Insurance Company of New York,  
United General Title Insurance Company and First American Corporation**

David P. Langlois  
Sutherland, Asbill & Brennan, LLP  
1114 Avenue of the Americas  
40th Floor  
New York, New York 10036  
Telephone: (212) 389-5000  
Facsimile: (212) 389-5099  
**Attorneys for Defendants Commonwealth Land Title Insurance Company,  
Lawyers Title Insurance Corporation, and Landamerica Financial Group, Inc.**

John A. Herfort  
Daniel Joseph Chirlin  
James L. Hallowell  
Oliver Michael Olanoff  
Gibson, Dunn & Crutcher LLP  
200 Park Avenue  
New York, New York 10166  
Telephone: (212) 351-4000  
Facsimile: (212) 351-4035  
**Attorneys for Defendant Title Insurance Rate Service Association, Inc.**